

ACC

10000/142/893

APPT. OF COMMISSION
MAR. 1945 - JAN. 1946

0587

Declassified E.O. 12356 Section 3.3/NND No. 785016

10000/142/893

APPT. OF COMMISSIONERS, AS., RECEIVERS IN AMG TERRITORY
MAR. 1945 - JAN. 1946

Please note folio 9A.

ECON SEC

Tel: 415

31 Jul 45

Sum. Sub.

95044

5

K/kins. born 8/11.
1. Vuy = 48.

-30-

CA Section.

Returned. Thank you.

Wm. J. White
Capt. 86

15. Even less

1 August 45

④ A Section

For 107 passed for my action you may clean

we are very

15 Aug 45

Myriophyllum.

Aug 5/0

12

The object of ICA is purely to inform those concerned that certain persons have been removed from positions of authority in our case in which they are or may be interested. The letters referred to was ^{passed} ~~sent~~ by us to Finance and to Commerce (see address (6)).

Why finance said 10 on 15 July I know no idea but CA
is all interested and we saw 10A on 10 Aug (with my initials & 10 Aug)

CA. S.
18 AUG. 1945

9 years could not care less.

CA Section

Em See
1 August 45

Returned. Thank you.

Wright
Capt. H

CA Section

For IOA passed per my action you may clear

we are very

15 Aug 45

Wright

Legal S/C

Legal

The object of IOA is purely to inform those concerned that certain persons have removed from position to authority in an area in which they are or may be interested. The letter referred to was passed by us to Finance and to Commerce (see above)

when Finance said to me to you I have no idea but CA is not interested and we saw IOA on 10 Aug (with my initials & 10 Aug)

27

CA S.
18 AUG 1945

Note

I really could not care less. Merri's letter was addressed to line of pain & we turned it in.

18 Aug 45

G-5 H

Levele

Seen by C.A.

Wright

22.

Legal

Please go ahead

Two minor points on the covering letter

It is suggested that the word's "with reasonable efficiency" should be added at the end of 2(a) and that

Para 2(b) should read

"The concern has ceased to carry on important work which it is considered should be continued."

The "it" at the end of 2(b) relates back to concern, which might be very active getting on with a professional line instead of something of importance.

[Signature]

CA
6/11/1945

23

CAS - Forwarded to you for VC's signature.
Please state how many mimeographed copies you require. Suggested amendments are inserted.

Legal
6 March

G. S. Harman for J. H. L.

24

CAS. Returns for signature.

[Signature]
J. H. L.

17 (Mar 45)

25.

CC. Legal

To see & despatch letter (with enclosures) to 2A.

CHS
23 March

[Signature]

26.

CA Sec.

Folio 9A joined for any action you may deem

25

considered should be continued.

The "it" at the end of 216) relates back to concern, which might be very active getting on with a particular line instead of something of importance.

CA
6/11/1945

23

J. H. H. H.

CAS - Forwarded to you for VP's signature.
Please state how many memorandum copies you require. Suggested amendments are inserted.

Legal
6 Marks

G. S. Humphrey
H. H.

24

CAS. Returns for signature.

[Signature]
J. H. H.

Legal

CC. Legal
CHS
23 Marks

To see & dispatch letter (with enclosures) at 2A.

[Signature]

25

26

CA Sec.

Folio 9A pointed for any action you may deem necessary. If you desire to take this letter into your own file, please do so.

Legal

30 June 1945

Exec. Section

Please note Folio 9A

30 July

G. S. Humphrey

[Signature]

G. S. Humphrey
(6)

12.

Agriculture.

1. Request "Consorzi Agrario, ^{Provinciali} be specifically ^{exempted} in para 1, as they are part of a national organization - whose method of handling is already prescribed,

L. G. Allbaugh

Commerce Agreed. no comment. ¹³

McQuinn. Col

22 Feb

no comment ¹⁴R. J. Immers, Jr.
for Joint Director,
Finance S/CFood S/c. Agreed.¹⁵ Wherry. Col.Industry S/c. Agreed¹⁶ W. Mackey Lt Col. for Director. 27/2/45
DirectorLabor S/c Agreed¹⁷ W. H. Harris DirectorPW & V S/c agrees¹⁸ W. J. Perry 28/2Transportation S/c Agreed¹⁹ W. H. Thomas Col D.D. T. S. C. 28/2/45

To Legal S/c.

From Economic Section

Sole comment is from Agriculture otherwise agreed

²⁰

Harold Cleveland

EACD DIRECTOR
ECON SEC.

3 MAR.

21

Cas.

1A and 1B herewith. Ref minute 12 - (don't think an amendment necessary as I don't imagine that a committee will be appointed to the Consorzi Agrario.

30

5 Mar 45

W. J. Perry
Deft

Legal.

9.

The Draft is approved, as amended in red.

Will you please prepare covering letter to Regional Commissioner instructing them that appointments of Receivers to Commercial Councils will in the future be made only under this order. That normally appointments will be by Regional Order but that control will and supervision will be exercised Provincially.

The Regional Commissioner may if ^{the number of cases} ~~possible~~ ^{it is desirable} delegate the power of appointment ^{to Provincial Commissioners} ~~to all persons~~ and the draft now on prepared Provincially and forwarded to him the work should not be heavy.

It may be desirable to supply a copy of the translation of the order with the letter for information and (copies are available).

Please supply sufficient fair copies of the order and of the covering letter ^{in time} for the NW. Study Planning Committee meeting at 1000 hours tomorrow morning (20th). 5 copies will suffice for me for this file.

19 FEB. 1945

TO: CA Sec.

10.

1. The translation supplied is not a translation but a synopsis and is incomplete (see 1b ^{above} of draft letter).

2. Para. 6 appears undesirable. We consider that all orders should be regional and signed by the RC in order to avoid confusion at a later date. It is a matter of internal administration for the RCs to instruct their PCs on the preparation of documents for signature and we do not think we should instruct them in this rather elementary matter.

LEGAL S/C
20 Feb 45.
GCH/rlp.

W. E. FENNERS,

Colonel,

Deputy Chief Legal Advisor.

11.

To Econ Sec.

1. The Order for the appointment of Commissioners has now been sealed, and is in the file.

2. It is proposed to send an explanatory letter to RCs, and VP's.

with the letter for information and (copies are available).

Please supply sufficient fair copies of the above and of the
concerning letter for the N.W. Study Planning Committee meeting at
1000 hours tomorrow morning (20th). 5 copies will suffice for me for this
file.

19 FEB 1945

TO: CA Sec.

10.

1. The translation supplied is not a translation but a synopsis and is incomplete (see lb above) of ACP's letter.

2. Para. 6 appears undesirable. We consider that all orders should be regional and signed by the PC in order to avoid confusion at a later date. It is a matter of internal administration for the PCs to instruct their PCs on the preparation of documents for signature and we do not think we should instruct them in this rather elementary matter.

W. E. BEHRENS,

Colonel,

Deputy Chief Legal Advisor.

LEGAL S/C
20 Feb 45.
GGH/rlp.

11.

1a Even Sec.

1. The Order for the appointment of Commissioner has now been issued, and

is in the file.

2. It is proposed to send an explanatory letter to PCs, and VP, etc. See handwritten note at the letter, when drafted, for your comment.

3. The letter has been drafted and is attached. Please have your comments please. You may think a para should be added warning PCs against exercising more of the order.

4. Please, after obtaining all interested comments, return to CA Sec.

W. E. BEHRENS
CA
Deputy

21 Feb 45

Minute Sheet 2

(5)

Economic Sec

Herewith draft Regional Order appointing a "Receiver" of an undertaking.

This draft has been prepared because it is thought that such an Order will be required when the Northern Regions are occupied.

On instructions of C.A. Sec (see minute 4) this draft is submitted for your views.

1. La Roche for DCLA

8 Feb 45

Note on minute 5. This machinery is for interim use only i.e. between occupation & the time when the Italian Decree can be implemented: this Order therefore follows substantially the general pattern of the Decree: Hence the form & wording.

(6)

CA Section (Legal S/C)

1) You will be interested in the comments on the two routing sheets herewith.

2) Econ. Sec. has no adverse comments or objections to the Regional Order in its present form.

2. La Roche
#ECON, Econ Sec.
C.S.O. 15/2-45

JRS

Returned to you for necessary action.

16 Feb 45
hequel.

G. G. Harman
14 Feb

81

233

draft is submitted for your views.

8 Feb 45

1. Lauchlin Curran
for DCLA

Note on Minute 5. This machinery is for interim use only i.e. between occupation & the time when the Italian Decree can be implemented: the Order therefore follows substantially the general pattern of the Decree: Hence the form & wording. B

(6)
CA Section (Legal S/C)

- 1) You will be interested in the comments on the two routing sheets herewith.
- 2) Econ. Sec. has no adverse comments or objections to the Regional Order in its present form.

L.P. Pennington

~~ADCOSS~~, Econ. Sec.,
C.S.O. 1872-45

CRS

Returned to you for necessary action.

16 Feb 45
Legal.

G.G. Harbo
1945

8.

VP.

1. Draft: Regional Order for approval prior to printing
2. Art 6 has been amended in red. Information of interest to the receiver is not necessarily the proper of the concern. It is suggested that the Art is better as amended.

3. Shall a copy of DR 420 be circulated with the coming edition and the Draft Regional Order.

CA
18 FEB. 1945

White

Harbo

HEADQUARTERS ALLIED COMMISSION
APO 894
ECONOMIC SECTION

ROUTING AND WORK SHEET

Each note must be numbered and each space completely filled in. THIS WORK SHEET MUST NOT BE REMOVED FROM THE CORRESPONDENCE TO WHICH ATTACHED UNTIL ACTION IS COMPLETED AND THEN FILED WITH FILE COPIES OF COMMUNICATION TO WHICH IT PERTAINS. A line will be drawn the full width of the page under each note.

SUBJECT: APPT. OF COMMISSIONERS AS RECEIVERS IN AMG TERRITORY (AC/4183/L)

No	Date	To	REMARKS	From
1	11/2	Econ.Sec.	1. One of the matters which may cause some concern is the development of the functions of Works Committees (Internal Commissions) in the North of Italy. Works Committees are normally consultative bodies of duly elected representatives of the employees of a firm, and in the ordinary way their institution and development is encouraged, so long as they confine themselves to their terms of reference, namely; To provide a recognized means of consultation between the management and the employees, and i. to give the employees a wider interest in and greater responsibility for the conditions under which their work is performed, ii. to enforce the regulations contained in collective agreements drawn up by District and National authorities, iii. to prevent friction and misunderstanding. 2. Both managements and regular trade unions are a little jealous of Works Committees; the latter because they do not wish Works Committees to interfere with or negotiate upon wages and conditions which are the concern of trade unions; the former to safeguard the managerial functions of the administration. (continued)	Labor S/C

Page 2

No	Date	To	REMARKS	From
			(continued)	
			3. It is understood that there is a tendency on the part of the Fascist-Nazi regime to buy the support of the workers in munitions factories and other establishments by giving Works Committees a greater share in management; a position which is facilitated by the fact that the existing management or direction is compromised with Fascism and will probably disappear on liberation of the territory. 4. The object of these observations is to raise the question whether Article 2 requires the "Receiver" to exercise administrative functions on the lines followed by the management which he succeeds or whether any particular definition should be given to the word "normal" in Article 2 (a) and in Article 2 (c) which shall exclude the interference of Works Committees in management issues. 5. Other than these observation I have no comment to make on the draft Regional Order. <i>W. H. Braine</i> W. H. BRAINE Director, Labor S/C	
2	12/2 45	Finance S/C	1. See attached folder minute ⑤ 2. Your comments please. 3. Return to E/S-	
3	13/2 45	Economic Section.	1. No finance interest is perceived. 2. No objection based on general interest. Probably labor's participation cannot be settled as a principle but only on a case by case basis. J. J. Fowler, Chm. OSCG.	<i>Devereux</i>

DO NOT WRITE BELOW THIS LINE

HEADQUARTERS ALLIED COMMISSION
APO 394
ECONOMIC SECTION

ROUTING AND WORK SHEET

Each note must be numbered and each space completely filled in. THIS WORK SHEET MUST NOT BE REMOVED FROM THE CORRESPONDENCE TO WHICH ATTACHED UNTIL ACTION IS COMPLETED AND THEN FILED WITH FILE COPIES OF COMMUNICATION TO WHICH IT PERTAINS. A line will be drawn the full width of the page under each note.

SUBJECT: *Appt. of Receiver in AMG Territory*

No	Date	To	REMARKS	From
4	15 Feb 45	<u>Col. Pensmore</u>	See para. 4 of note 1. It seems to me that Mr. Braine is unnecessarily worried. There is nothing in the draft order which implies that the Receiver must follow the policies of his predecessor. Also there is nothing in normal business practice or custom to imply that. Usually it is just the opposite! A Receiver operates under the authority and as the agent of the appointing authority, not as agent of the owners or former managers. If he is to be effective he must have a free hand to operate the business according to his best judgment, subject, of course, to such control regulations as may	

Page 4

No	Date	To	REMARKS	From
			be laid down by the appointing authority. If the appointing authority should consider it desirable to exclude "Works Committees" from any interference with the management of the Receiver, that should be stated either in the order or in the instructions to the Receiver. If workers in a given industry have become used to this system, its abrupt removal might become a sufficient irritant to produce strikes. Probably, therefore, it would be wiser to give instructions to each Receiver to fit his case, rather than state it generally in the order.	(PCH)
5	15 Feb 45	ADCOs, E/S	1) I agree with Doo's comments. 2) Perhaps this "receivership" idea will be useful when particular entrepreneurs are balking at necessary cannibalization. 3) Suggest we return to Adaction, with no objection,	(H)

DO NOT WRITE BELOW THIS LINE

and with these two routing sheets for info.

(AS)

Enclosed proposed draft for your information observations

please.

7 Jan 1945

S. S. Humphrey
1945
Legal

Legal.

1.

The best translation of a word is that which most nearly conveys the same meaning.

It is submitted that, so far as the English version of the order is concerned, the duties and functions of a Commissioner are best described by the word Receiver.

Commissioner is not a true translation of Commissioner Receiver. Commissioner is used in AMG cases as Receiver and does not convey the functions to AMG cases as Receiver and does not convey the word Receiver as used in the English

It is suggested that the word Receiver should make some or all of the following changes.

2. Do you not think that the order should make some or all of the following changes.

- witfully, refusing to hand over, concealing or destroying property of the concern.
- withholding information, books or papers relating to the management of the concern of any property of the concern when lawfully in possession of the Receiver.
- failing to disclose the source of the information of the concern failing to attribute to deal with any property of the concern.
- dealing or attempting to deal with any property of the concern otherwise than for and on behalf of the Receiver.
- knowingly and without any authority performing or attempting to perform any act of management.

If you agree it is suggested that this should be added to the present AMG 6.7 be recommended.

CA
7 FEB 1945

3.

S. S. Humphrey
3

CAS.

Ref 2 above.

- ① The word "Receiver" is agreed: but the appender will be now "Manager".

Page 2 contains a most valuable suggestion.

conveys the same meaning. It is sometimes as the English version of the order is concerned the duties and functions of a Commissioner are best described by the word Receiver. Commissioner is not a true translation of Commissioner and does not convey the functions to AMG cars as Receiver does. It is suggested that the word Receiver be used in the English and Comments in the Italian version.

Do you not think that the order should make some or all of the following changes:

- witfully refusing to hand over, concealing or destroying property of the concern;
- withholding information, books or papers relating to the management of the concern;
- when lawfully in possession of any property of the concern failing to disclose the same to the Receiver ^{whenever the value is substantial} or to deal with any property of the concern otherwise than for and on behalf of the Receiver;
- knowingly and wilfully attempting to perform any act of management.

If you agree it is suggested that should be Act to amend the present Arts 6 & 7 to be numbered.

CA
7 FEB. 1945

CAS.

Ref 2 above.

- The word "Receiver" is agreed: but the appointer will be now "Manager".

- It is thought that your para 2 contains a most valuable suggestion. The wording has not been adapted because it was thought too full for an order such as this: but it is thought that the new art 6 covers the point.

- I am informed that DCLA had approved the draft.

- Final copy draft now submitted.

8 Feb 45.

Legal

Noted thank you

Receiver has a power to sell while a manager has not see Art 2(6). Substantive above the draft is approved. Seen seen above should now be obtained. Do you think a final draft would be desirable that point.

CA
8 FEB. 1945

1/2/45
for DCLA

W. H. H. H.

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

- 7 GEN 1946

Office of the Regional Legal Officer

3 JANUARY 1946.

PR/LE/514.

SUBJECT : Appointment of receiver.

TO : Civil Affairs Section AC HQ. APO 394.

1. Reference A.C. directive AC/4183/L dated 17 March 1945, subject as above.

2. The following information is submitted for the period of time since 16 Dec. 45:

a. Appointment:

Name of concern: Officine Meccaniche Zanzi - Ivrea

Name of receiver: Dr. Ing. Franz BONARETTI

Date of appointment: 31 December 1945.

b. Revocation of receivership.

Name of concern: Officine Meccaniche Zanzi - Ivrea

Name of receiver: Ing. Antonio Jannello

Date of appointment: 13 June 45

Date of revocation: 31 December 1945.

For the Regional Commissioner.

D.D. Mc Colm Major
D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

DIM/CB

LEG. SUB. COMM. HQ.

CLO

DCLO

Chief

CJO

Italian

CL RK

7 JAN 1946



File

17

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

21 DEC. 1945

15 December 1945.

PR/LE/514.

SUBJECT : Appointment and revocation of receivers.

TO : Civil Affairs Section AC HQ. APO 394

1. Reference A.C. directive AC/4183/L dated 17 March 1945,
subject as above.

2. The following information is submitted for the period of
time since 1 Nov. 45:

(a) November: NIL

(b) December

(aa) Appointment:

Name of concern: Istituto Autonomo Case Popolari
Pont St. Martin (Aosta Prov.)

Name of receiver: Dr. Rag. MARCHIANDO Michele

Date of appointment: 4 Dec. 45

(bb) Revocation of receivership:

(aaa) Name of concern: Zuccherificio-Spinetta
Marengo (Alessandria Prov)

Name of receiver: FERRARI Edmondo

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(bbb) Name of concern: Tipografia Edoardo Grasso
& C. - Alessandria

Name of receiver: RIVERA Pierino

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(ccc) Name of concern: Ditta Bernardini Giuseppe
Alessandria

Name of receiver: DELLA VALLE

Date of Appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(ddd) Name of concern: Ditta Raimondo Antonio
Tortona (Alessandria Prov)

Name of receiver: CUNIOLO Giuseppe

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45



+ 2 -

(eee) Name of concern: S.A. Officine Meccaniche
Valenza (Alessandria Prov)

Name of receiver: RASELLI Giorgio

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(fff) Name of concern: Ditta Pernigotti Carlo,
Cotonificio - Ovada
(Alessandria Province)

Name of receiver: DELLA BARILE Pietro

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(ggg) Name of concern: Az. Agr. Carlo Pernigotti
Ovada - Alessandria Prov.

Name of receiver: DELLA BARILE Pietro

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(hhh) Name of concern: S.A. Industrie Radiofo-
niche - Ovada.

Name of receiver: DELLA BARILE Pietro

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(iii) Name of concern: S.A. Tessitura Pernigot-
to Carlo - Ovada.

Name of receiver: DELLA BARILE Pietro

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

For the Regional Commissioner.

DDM/CB

REG. SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
21 DEC 1945	

DDM Colm Major
D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

27

21 DEC. 1945

15 December 1945.

PR/LE/514.

SUBJECT : Appointment and revocation of receivers.

TO : Civil Affairs Section AC HQ. APO 394

1. Reference A.C. directive AC/4183/L dated 17 March 1945, subject as above.

2. The following information is submitted for the period of time since 1 Nov. 45:

(a) November: NIL

(b) December

(aa) Appointment:

Name of concern: Istituto Autonomo Case Popolari
Pont St. Martin (Aosta Prov.)

Name of receiver: Dr. Rag. MARCHIANDO Michele

Date of appointment: 4 Dec. 45

(bb) Revocation of receivership:

(aaa) Name of concern: Zuccherificio-Spinetta
Marengo (Alessandria Prov.)

Name of receiver: FERRARI Edmondo

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(bbb) Name of concern: Tipografia Edoardo Grasso
& C. - Alessandria

Name of receiver: RIVERA Pierino

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(ccc) Name of concern: Ditta Bernardini Giuseppe
Alessandria

Name of receiver: DELLA VALLE

Date of Appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45

(ddd) Name of concern: Ditta Raimondo Antonio
Tortona (Alessandria Prov.)

Name of receiver: CUNIOLO Giuseppe

Date of appointment: 15 Oct. 45

Date of revocation: 14 Dec. 45



+ 2 -

- (eee) Name of concern: S.A. Officine Meccaniche
Valenza (Alessandria Prov)
Name of receiver: RASELLI Giorgio
Date of appointment: 15 Oct. 45
Date of revocation: 14 Dec. 45
- (fff) Name of concern: Ditta Pernigotti Carlo,
Cotonificio - Ovada
(Alessandria Province)
Name of receiver: DELLA BARILE Pietro
Date of appointment: 15 Oct. 45
Date of revocation: 14 Dec. 45
- (ggg) Name of concern: Az. Agr. Carlo Pernigotti
Ovada - Alessandria Prov
Name of receiver: DELLA BARILE Pietro
Date of appointment: 15 Oct. 45
Date of revocation: 14 Dec. 45
- (hhh) Name of concern: S.A. Industrie Radiofo-
niche - Ovada.
Name of receiver: DELLA BARILE Pietro
Date of appointment: 15 Oct. 45
Date of revocation: 14 Dec. 45
- (iii) Name of concern: S.A. Tessitura Pernigot-
to Carlo - Ovada.
Name of receiver: DELLA BARILE Pietro
Date of appointment: 15 Oct. 45
Date of revocation: 14 Dec. 45

For the Regional Commissioner.

D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

25

DDM/CB

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

8 November 1945.

PR/LE/514.

SUBJECT : Appointment of Receivers.

TO : Hqrs. A.C., APO 394, for Civil Affairs Section.

1. Reference A.C. directive AC/4183/L dated 17 March 1945, subject as above.

2. In compliance with said directive, the following information is submitted for the months of:

a) September: NIL

b) October :

aa) Name of Concern : Az. Agr. Carlo Pernigotti
- Ovada.

Name of Receiver : DELLA BARILE Pietro
Date of Appointment: 15 October

bb) Name of Concern : Ditta Pernigotti Carlo, Co-
tonificio - Ovada.

Name of Receiver : DELLA BARILE Pietro
Date of Appointment: 15 October

cc) Name of Concern : S.A. Tessitura Pernigotti
Carlo - Ovada.

Name of Receiver : DELLA BARILE Pietro
Date of Appointment: 15 October

dd) Name of Concern : S.A. Industrie Radiofoniche
- Ovada.

Name of Receiver : DELLA BARILE Pietro
Date of Appointment: 15 October

ee) Name of Concern : Az. Dolciaria Stefano Perni-
gotti Figlio - Novi Ligure

Name of Receiver : BOTTAZZI Adolfo
Date of Appointment: 15 October

ff) Name of Concern : Ditta S.A. Officine Mecca-
niche - Valenza

Name of Receiver : RASELLI Giorgio
Date of Appointment: 15 October

54/6

- 2 -

gg) Name of Concern : Ditta Torresi Alfredo
- Tortona
Name of Receiver : GHIANDA Ettore
Date of Appointment : 15 October

hh) Name of Concern : Ditta Raimondo Antonio
- Tortona
Name of Receiver : CUNIOLO Giuseppe
Date of Appointment : 15 October

ii) Name of Concern : Ditta Bernardini Giuseppe
-Alessandria
Name of Receiver : DELLA VALLE
Date of Appointment : 15 October

ll) Name of Concern : Zuccherificio di Spinetta
Marengo - Spinetta Marengo
Name of Receiver : FERRARI Edmondo
Date of Appointment : 15 October

mm) Name of Concern : Tipografia Edoardo Grasso
& c. - Alessandria
Name of Receiver : RIVERA Pierino
Date of Appointment : 15 October

For the Regional Commissioner.

DDM Tolm Major

D.D. Mc Colm,
Major, R.A.,
Regional Legal Officer.

DDM/CB

REG. 1	201	1945
CLO		
DCLO		
Chief Counsel		
CJO		
Legal Section		
CL. RPS		
13 NOV 1945		

23

4183 *Legal Sub-Comm* **17A**
LIGURIA REGION

8012

3 NOVEMBER 1945

PRIORITY

RESTRICTED PD

SUBJECT IS RECEIVERSHIPS PD

PARAH TO AND LIGURIA REGION FROM ALCOM CITE ACIDY PARAH *LIG/HQ/130*

PARA ONE PD REFERENCE YOUR LOVE ITEM GEORGE OBLIQUE HOW QUEEN OBLIQUE
 ONE THREE ZERO DATED TWO ZERO OCTOBER AND MESSAGE ONE TWO FOUR FIVE DATED
 ONE NOVEMBER PD

PARA TWO PD RECEIVERSHIPS SHOULD BE TURNED OVER TO THE ITALIAN GOVERNMENT
 NOT PRECEPTS PD

PARA THREE PD ACTION BEING TAKEN HERE PD LETTER FOLLOWS

Copy to:-

~~Economic Section.~~

Legal Sub-Commission

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel *ADH*

CLO

Station Section

CLARKS

INDUSTRY S/C

237

Charles Fewings, Maj; RASC

G. J. LERONE

CWO, USA

ASST. ADJUTANT

4/83
ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM

SUBJECT:

TO : CSO CA Section.

FILE No.

18 Oct 1945

The Deputy Regional Commissioner of LIGURIA phoned me today on the following point:

They have 30 receivers appointed to industrial concerns under the rules given in AC/489/L on 17 March 45. In preparation for the turn-over to the Italian Government or with a view to getting things all ready for such handover they have in mind the re-appointment of these receivers by the Italian authorities.

I believe the latter mentioned above lays down that when AMG withdraws, the Italian Government makes the appointments by decree but it may be that it can be done by the Prefect.

Please turn up the file and discuss.

Legal

Will you please advise

18 OCT. 1945 C.A.S.

All receivers must be appointed by Ministerial Decree

MC
 M. CAR, Brig.,
 VP CA Sect.

21

22/10

Kempthorne

154

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4183/L.

GGH/pa.
15 Sept 45.

SUBJECT : Appointment of Sequesterator to the German
firm of Oehme and Baier.
TO : Industry Sub-Commission.

1. In view of the imminence of the hand over it
appears to this Sub-Commission that no useful purpose
would be served at the present juncture through AMG appoint-
ing a receiver to the firm of Messers Oehme and Baier of
Torino.

G. G. HANNAFORD,
Lt. Colonel,
Officer i/c Ital Branch,
for Chief Legal Advisor.

20

No. 785016

CF/a1

5 September 1945

TO : Legal Sub-Commission ✓

FROM : Industry Sub-Commission.

2. The information contained in your letter was passed to the Regional Industry Officer who, upon communicating with the Regional Legal Officer, received a reply as per attached PR/LE/514 dated 8 Aug '45.

3. May we have your comments please ?

CHARLES FEWINGS
Major RASC

for A. H. GLENDINNING
Colonel,
Acting Director,
Industry Sub-Commission

CHH
I agree with McClellan. I think it is better
for Army to be involved in the management
of government resources. The studies would support
a Committee of House & Army, if in accord,
implement it. — CHH

Chief Counsel
to
Honorable
Commissioner

CLARK

H

7 SEP 1945

COPY

8 August 1945

PR/LE/514

SUBJECT : Appointment of Sequestrator : Oehme and Baier.
TO : Regional Industry Officer - Piemonte.

1. Ref. your correspondence under above heading and Industry Sub-Commission AC/5519/IND of 2 August 45 to you under heading "Appointment of Receiver Oehme and Baier" this Division is not clear whether legal Sub-Commission's information to Industry Sub-Commission that appointment of a receiver should be carried out by you has been given with a full knowledge of the facts, or if the Industry Sub-Commission have caused confusion by failing to distinguish between a receiver and a sequestrator. Has Legal Sub-Commission ruled that in this case a receiver as distinct from a sequestrator should be appointed, or have they merely said, that if a receiver is to be appointed the Regional Legal Officer is aware of the procedure ?

2. This concern is a purely German one and there is no question of seizure by the Allied Armed Forces as booty of war or by reason of military necessity : in these circumstances it seemed clearly a matter for the Italian Government - See Finance Sub-Commission's 13074/F of 18 June last - who could appoint a sequestrator under R.L.D, 11 of 1942 etc.

3. Until the position is clarified it does not seem desirable to appoint a receiver.

/s/ DDM Colm Major

DDM/LE.

Copy to Legal Sub-Commission.
" " Industry Sub-Commission.

D.D. Mc. Colm, Major R.A.
Deputy for
Edwin J. Mercer, Lt.Col.,Ord.
Regional Legal Officer.

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

Office of the Regional Legal Officer

4 September 1945.

PR/LE/514

SUBJECT: Appointment of Receiver.

TO : Hqs. A.C., APO 394, for Civil Affairs Section.

1. Reference A.C. directive AC/4183/D dated 17 March 1945, subject as above.

2. In compliance with said directive, the following information is submitted for the month of August:

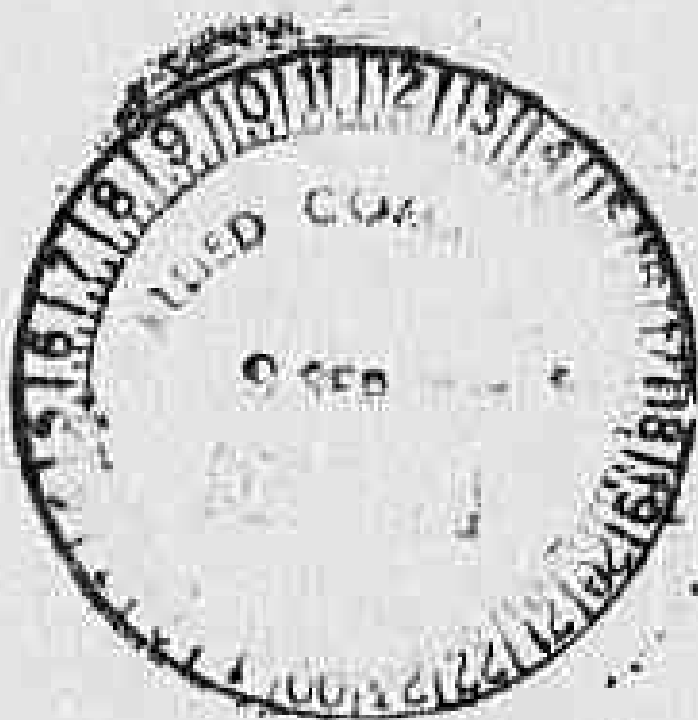
Name of Concern: Fiat Società per Azioni, city of Turin.

Name of Receiver: Antonio CAVINATO.

Date of Appointment: 22 August 1945.

For the Regional Commissioner.

CCS/LR.



ADM Colm Major

D. D. Mc Colm

Major, R.A.

Act'g Reg. Legal Officer.

LEGAL SUB COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

C. RKS

10 SEP 1945

17

13 B

4 September 1945.

PR/IE/514

SUBJECT: Appointment of Receiver.

TO : Hqrs. A.C., APO 394, for Civil Affairs Section.

1. Reference A.C. directive AC/4183/L dated 17 March 1945, subject as above.

2. In compliance with said directive, the following information is submitted for the month of August:

Name of Concern: Fiat Societa per Azioni, city of Turin.
Name of Receiver: Antonio CAVINATO.
Date of Appointment: 22 August 1945.

For the Regional Commissioner.

D. D. Mc Colm
Major, R.A.
Act'g Reg. Legal Officer.

CCS/LR.

13 AUG 1945

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

8 August 1945.

PR/IB/514

SUBJECT: Appointment of Sequestrator: Oehme and Baier.

TO : Regional Industry Officer - Piemonte.

1. Ref. your correspondence under above heading and Industry Sub-Commission AC/5519/IND of 2 August 45 to you under heading "Appointment of Receiver Oehme and Baier" this Division is not clear whether Legal Sub-Commission's information to Industry Sub-Commission that appointment of a receiver should be carried out by you has been given with a full knowledge of the facts, or if the Industry Sub-Commission have caused confusion by failing to distinguish between a receiver and a sequestrator. Has Legal Sub-Commission ruled that in this case a receiver as distinct from a sequestrator should be appointed, or have they merely said, that if a receiver is to be appointed the Regional Legal Officer is aware of the procedure?

2. This concern is a purely German one and there is no question of seizure by the Allied Armed Forces as booty of war or by reason of military necessity: in these circumstances it seemed clearly a matter for the Italian Government - See Finance Sub-Commission's 13074/P of 18 June last - who could appoint a sequestrator under R.D.L. 11 of 1942 etc.

3. Until the position is clarified it does not seem desirable to appoint a receiver.

DDE/LR.

Copy to Legal Sub-Commission.

CLO
DCLO
Chief Counsel
CLO
Italian Sub-Commission.
CLERKS

13 AUG 1945

D.D. Mc. Colm, Major R.A.
Deputy for
Edwin J. Mercer, Lt. Col., Ord.
Regional Legal Officer.

15

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

LIA

AC/4034/1/L. 4183

GGH/lc.
1 August 1945.

SUBJECT : Appointment of Receivers.

TO : Industry Sub-Commission.

1. Your attention is drawn to directive AC/4183/L. of 17 March, which is enclosed.

2. Regional Legal Officer Piemonte who is no doubt aware of this procedure should prepare the necessary order to be signed by Regional Commissioner Piemonte.

3. Upon restoration the receiver may either be replaced or confirmed by decree of the Italian Government.

G. G. HANNAFORD,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Incl.

INDUSTRY SUB-COMMISSION

Tel. 328

AHG/tks

Ref. AC/5519/IND

31 July 1945

SUBJECT: Appointment of Sequestrator.

TO: Legal Sub-Commission

1. Attached letter from Piemonte Region asking for a sequestrator to be appointed for the firm of Oehme & Baier in Turin. I would appreciate if you would inform me what action can be taken.

A. H. Glendinning
A. H. GLENDINNING
Lt. Colonel
Acting Director
Industry Sub-Commission

Incl.

Let fm Piemonte Reg., PR/IND/105, 26 Jul 45
w/incl. Let fm Baier, 25 Jul 45, w/translation

LEGAL SUB-COMMISSION	
DCLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
Aug 1945	

4183.

10 AUG. 1945

10 AUG. 1945

(107)

HEADQUARTERS
PIEMONTE REGION
ALLIED MILITARY GOVERNMENT
APO 394

[Handwritten signature]

Office of the Regional Legal Officer

7 August 1945.

PR/LE/514

SUBJECT: Appointment of Receiver.

TO : Hdqrs. A.C., APO 394, for Civil Affairs Section. ✓

1. Reference A.C. directive AC/4183/L dated 17 March 1945, subject as above.

2. In compliance with said directive, the following information is submitted for the month of July:

Name of Concern: Società Anonima Magnesio Italiano Sulcis.
Torino Province.

Name of Receiver: Dr. Francesco ELTER.

Date of Appointment: 25 July 1945.

For the Regional Commissioner.

[Handwritten signature: Edwin J. Mercer]

Edwin J. Mercer
Lt. Col., Ord.
Regional Legal Officer.

EJM/AR.

LEG. SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	✓
CL RKS	
14 AUG 1945	

[Handwritten note:]
To whom the
concerned this
information was
sent 12

(886)

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF : RIX/LE/108/88

WHL/dsh.
29 July 1945.

SUBJECT : Receivers.

TO : Headquarters, Allied Commission, APO 394, U.S. Army
(for Vice President, CA Section).

1. Reference your AC/4183/1, 17 March 1945, this is to advise you that all orders of AMG appointing receivers in Emilia Region have been canceled because of the appointment of receivers for the firms in question by the President of the competent Tribunale.

2. The following firms are covered by the foregoing:

FIRM

S.A. DUCATI
S.A. RADIO SUPERIA
ENEA VENTURI
BRENNO & ENEA VENTURI
BRENNO VENTURI

RECEIVER

Ing. Prof. Stefano BASILE
Ing. Prof. Stefano BASILE
Giuseppe BERSANI
Giuseppe BERSANI
ZELLOPEZZOLI

For the Regional Commissioner:

30 JUL 1945

WHL/Levit
WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional Legal Officer

Copy to:

R.C., Emilia Region.

→
CIO
DCIO
Chief Counsel
CIO
Italian Section
G. RKS

30 Jul 1945

No. 785016

6104
LEGAL S/C

WHL/tl
18 July 1945

TO : Headquarters, Allied Commission, APO 394
(for Vice President, CA Section)

1A

For the Regional Commissioner :

WILLIAM H. LEVIT
Lt. Col., J.A.G.D.
Regional Legal Officer.

10

File 4183

7A

HEAD HARTING ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC 1036/11.

/rlp.
13 July 1945.

SUBJECT : Implementation of Italian legislation - Appointment of Commissari to various newspapers - G.U. No. 77.

TO : Regional Commissioner (Attn: Regional Legal Officer),
LOMBARDIA Region.

1. Various decrees appointing commissari to a number of printing works and newspapers of the North were approved by the Bonomi Government some months past.
2. They have now been published "en bloc" in G.U. 77, without consulting AC Rq (Public Relations Sub-Commission).
3. It is therefore not proposed to implement any of them at present.
4. Should the necessity of appointing a receiver to any such concerns be considered urgent locally, RRs are at liberty to do so through the normal procedure or by requesting the implementation of the decrees in point.

By command of Rear Admiral STONE,

G. C. HARGREAVE,
Lt. Col.,
Officer i/c Italian Branch,
for Chief Legal Advisor.

Copy to: RC (Attn: HLO), VENEZIA Region
" " " EMILIA "
Public Relations S/O
File AC/4183/L.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

6A

GCH/lc.
16 June 1945.

AC/4183/L.

SUBJECT : Appointment of receivers (Commissari).

TO : Regional Commissioner (Attn:Regional Legal Officer),
LOMBARDIA Region.

1. Reference your LEG/5077 of 11 June 1945.

2. This matter has been discussed with the Minister in the light of your observations.

3. It has been agreed that:

(a) when Commissari have in the past been appointed publicly by DLL or MD appearing in the body of the Gazzetta Ufficiale, such appointment will supersede in AMG territory, any other which may have been made by Regional, Provincial or Administrative order, as soon as the said decree is implemented in such territory.

(b) when Commissari are appointed privately by a Minister (under the powers vested in him for such purpose) and such appointments appear in the column of the Gazzetta Ufficiale reserved for notices and communiques, Regions before deplacing their own nominee, will communicate their views on the subject to this HQ. Should it be considered essential to maintain the Regional appointee in his post, the Sub-Commission concerned will inform the Minister responsible for the appointment accordingly.

(c) in future it has been decided that the President of the Council of Ministers should write to all Ministers requesting them to appoint "Commissari" as much as possible by DLL or MD. which are automatically implemented with the rest of the decrees appearing in the Gazzetta Ufficiale.

4. The number of privately appointed Commissari having to proceed to Northern Italy is not considered by the Minister as being in any sense considerable.

By command of Rear Admiral STONE:

G. G. HANNAFORD,
Lt. Col.
Officer i/c Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LOMBARDIA REGION
APO 394
Legal Division

Ref.: LEG/5077

11 June 1945

SUBJECT : Appointment of Commissari

TO : H.Q. A.C. (Legal Sub-Commission)

1. Visits and written communications are being received at this H.Q. from persons who have been appointed Commissari of concerns in Rome and who now wish to establish their authority in respect of branch offices in the north.

2. Where the original appointment was made by Decreto Ministeriale published in the Gazzetta Ufficiale, the legal position is usually clear, since either the D.M. has been specifically excluded from implementation or is so phrased as to apply only to territory under Italian Government control.

3. Some difficulty is, however, occasioned where the appointments were published in the Gazzetta Ufficiale under the heading of "Disposizioni e Comunicati" and appear to take the form of announcements by the Ministry of Industry, Commerce and Labour. It is not clear whether such announcements are covered by the usual implementation order.

4. Your views on this point would be appreciated together with an expression of your views on the legal position of these Commissari in AMG territory.

→ CLO
DCLO
Chief Counsel
CJO
Itellon Section
Chas/KS

For the Regional Commissioner:

H.M. Dickie
H.M. DICKIE
W/Comdr., R.A.F.
Regional Legal Officer.

12 JUN 1945

5A

7

4183 ✓
HEADQUARTERS ALLIED COMMISSION
APO 394
ECONOMIC SECTION

Legal *LA*
WHS/CWA/emg

Ref: ES/12.05

1 May 1945

SUBJECT: Duties of Receivers and Controllers of Businesses of Public Importance.

TO : Regional Commissioners, Piemonte, Liguria, Lombardia, Emilia and Venezia. (A)

1. Memorandum No. AC/4183/L of 17th March 1945 (and the Italian Decree No. 420 of 19th October, 1944) gives instructions as to the manner of appointment of receivers and controllers of businesses of public importance. This instruction relates to the discharge of the functions of management by receivers and controllers in the particular circumstances detailed below, and the attached memorandum will serve as the instructions to Receivers on such issues.

2. Certain industrial establishments may have been "socialized" by Fascist Decree of 12th February, 1944, which provides for the representation of workers on management councils with a number of votes equal to those of representatives of owners and shareholders. In other industrial establishments, Works Committees or Internal Commissions may claim managerial powers.

3. During the period of administration by Allied Military Government, care will be taken to avoid prejudging controversial issues or the perpetuation of arbitrary decisions taken by the Fascist Regime subsequent to the date of the Armistice, affecting rights of ownership or management.

4. If it appears that nationals of the United Nations own a substantial interest in the concern the Regional Property Control Officer shall, if circumstances permit, be consulted and his advice followed both as regards the necessity for appointment of a receiver and the person to be appointed.

5. In view of the fact that general industrial interests may in certain particular circumstances not be adequately represented in negotiations with workers' representatives on issues affecting socialized establishments or establishments in which workers' representatives have claimed a share in management, Regional Commissioners should ensure that general local practice and comparable wage rates, etc., are brought into consideration when examining proposals affecting particular establishments.

By command of Rear Admiral STONE:

Enclosure (1)
Memorandum - ES/12.05 - 1 May 1945
Copies to -

AFLRS -	2
Econ. Sec.	12
Civ. Affairs Sec.	1
Legal S/C -	1

A. C. Antolini
A. C. ANTOLINI
Acting Vice President
Economic Section

2 MAY 1945

HEADQUARTERS ALLIED COMMISSION

APO 394

ECONOMIC SECTION

HB/C//SMS

1 May 1945

Ref: ES/12.05

MEMORANDUMDUTIES OF RECEIVERS AND CONTROLLERS

Receivers and controllers will exercise full functions of management and control and will be guided in their relationship to workers' representatives by the following instructions and by advice that may be received from Regional Commissioners in response to direct requests for decision on particular points:

1. The Receiver shall submit any program of manufacture, and of procurement, and/or utilization of plant, materials, power, fuel and transportation to the Regional Industry Officer for his prior approval.

Copies of inventories of materials prepared by the Receiver or his agent in compliance with Article 3 of the Regional Order shall be supplied to the Regional Industry Officer.

2. The Receiver shall submit the general program for distribution of the products or services of the enterprise or facility under his control, including the pricing thereof, for the prior approval of the Regional Commerce Officer before putting such program into effect. He shall not enter into any agreements for the bartering or exchange of any of the products or services of such enterprise, except with the prior approval of the RCO. In the case of public utilities or transportation enterprises, the approval of the Regional Public Works or Transportation Officer shall be obtained. All public utility rate matters will be referred to Hq. AC for approval through the Regional Public Works Officer.

Copies of the inventories mentioned in Article 3 of the Regional Order appointing a Receiver of a particular business shall be furnished to the Regional Commerce Officer. The Receiver shall not dispose of any of the raw or semi-manufactured materials or of any of the plant, machinery, fixtures, or capital assets appertaining to the enterprise under his control except with the concurrence of the Regional Commerce and/or Industry Officers and against releases duly executed by the one or the other of them. In the case of Public Utility plants and materials such releases should be obtained through the Regional Public Works Officer.

In all matters arising under paras. a and b above, it is understood that correspondence between Receivers and Regional Specialist Officers shall be conducted through the respective Provincial Commissioners.

When worker participation in managerial functions relating to production, distribution, administration or finance have existed prior

Receivers and controllers will exercise full functions of management and control and will be guided in their relationship to workers' representatives by the following instructions and by advice that may be received from Regional Commissioners in response to direct requests for decision on particular points:

1. The Receiver shall submit any program of manufacture, and of procurement, and/or utilization of plant, materials, power, fuel and transportation to the Regional Industry Officer for his prior approval.

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Copies of the inventories mentioned in Article 3 of the Regional Order appointing a Receiver of a particular business shall be furnished to the Regional Commerce Officer. The Receiver shall not dispose of any of the raw or semi-manufactured materials or of any of the plant, machinery, fixtures, or capital assets appertaining to the enterprise under his control except with the concurrence of the Regional Commerce and/or Industry Officers and against releases duly executed by the one or the other of them. In the case of Public Utility plants and materials such releases should be obtained through the Regional Public Works Officer.

In all matters arising under paras. a and b above, it is understood that correspondence between Receivers and Regional Specialist Officers shall be conducted through the respective Provincial Commissioners.

When worker participation in Managerial functions relating to production, distribution, administration or finance have existed prior to the appointment of the Receiver, this shall be temporarily suspended on the grounds of military necessity and the exigencies of rehabilitation vital to the recovery of Italian economy as a whole. This may be resumed at the pleasure of the Regional Commissioner with the advice of the Regional Specialist Officers concerned.

3. When the circumstances to which this instruction relates apply or are developed in industrial establishments in which Allied or neutral interests are concerned to any considerable extent, particular care should be taken to keep the Property Control Officer on the Regional Commissioner's staff fully informed of events. When it becomes necessary to report developments in such establishments to the Regional Commissioner, attention should be drawn to the existence of Allied or neutral interests so that the Regional Commissioner may instruct Property Control Officer.

- 2 -

4. Works Committees, otherwise known as "Commissioni Interne", which consist of representatives of management and of workers, are intended to provide a recognized means of consultation between the management and the employees, and

- (i) to give the employees a wider interest in and greater responsibility for the conditions under which their work is performed,
- (ii) to enforce the regulations contained in collective agreements drawn up by District and National Authorities.
- (iii) to prevent friction and misunderstanding.

The functions include consideration of grievances, working conditions, suggestions for greater improvement and satisfactory working, welfare, etc.; but do not include power to come to agreements inconsistent with agreements between a trade union and an employer's organization or district and national agreements. It would not be appropriate for the management to negotiate or agree with a works committee any changes in rates of wages or general matters affecting remuneration and working conditions. The appropriate bodies with whom negotiations may be conducted and with whom provisional arrangements may be agreed are the recognized trade unions for the industry or category concerned. During the course of negotiations the workers or trade unions may be assisted by or represented by the appropriate Camera del Lavoro and the management may have the advice or assistance of the appropriate employer's federation. Proposals provisionally made for changes in wage rates and working conditions of a general nature should be brought to the notice of the relevant Uffici del Lavoro or of the A.M.C. Labour Officer who will take the necessary steps to bring the proposals to the notice of A.M.C. Regional Commissioner. No provisional agreements may come into effect unless and until they have received formal approval of the Regional Commissioner.

Receivers and controllers should at all times be prepared to meet workers' representatives and works committees on matters properly falling within the scope of such representatives or committee. If extraneous matters are introduced receivers and controllers should advise representatives of their inability to discuss such questions or to arrive at agreements except through the appropriate channels and should indicate their willingness to enter into discussion with other appropriate bodies. If questions considered to be outside the scope of works committees or internal commissions are pressed by those bodies, receivers or controllers should bring the matter without delay to the notice of the Regional Commissioner.

By command of Rear Admiral STONE:

A. C. Antolini
A. C. ANTOLINI
Acting Vice-President

- responsibility for the conditions under which their work is performed,
- (ii) to give the employees a wider interest in and greater responsibility for the conditions under which their work is performed,
 - (iii) to enforce the regulations contained in collective agreements drawn up by District and National Authorities.
 - (iv) to prevent friction and misunderstanding.

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By command of Rear Admiral STONE:

A. V. Antolipi
A. V. ANTOLIPPI
Acting Vice-President
Economic Section

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

Tel: 489084
Ext: 525

Ref DE/5.1/CA

23 Mar 45

SUBJECT : Appointment of Receivers

TO : AMG 5 Army

You will note from the report on Lt Col WHITE's recent tour that EC Florence is desirous of having powers to control private companies under the management of fascists. It is suggested that this object may be achieved by appointing receivers under the machinery contained in AC/4183/L of 17 Mar. If you consider this desirable you may put this into operation; sufficient copies of the letter referred to are enclosed for distribution to all your provinces.

BY COMMAND OF THE CHIEF COMMISSIONER

G.R. URJOHN Brig,
VP CA Section

Copy to File AC/4183/L

AB/er

LES SUB-COMMISSION

CIO

ESIG

Chief Counsel

CIO

Italian Section

CL-RKS

24 MAR 1945

595

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

2A

AC/4183/L

23 Mar 45

SUBJECT : Appointment of Receivers

TO : ACs Emilia, Toscana, Abruzzi-Marche (for Umbria - Marche)
SMAO 3 Army

In your discretion the machinery established by AC/4183/L of 17 Mar may be extended by you to any of your provinces. Sufficient copies of the letter and its enclosure are enclosed to enable distribution on a scale of two per province to be made.

BY COMMAND OF THE CHIEF COMMISSIONER :

G.R. UPJOHN Brig.
VP CA Section

*Prepared for dispatch by C.A. Sec
Inspected by Legat.
24 MAR 1945*

HEADQUARTERS ALLIED COMMISSION

APO 394

CIVIL AFFAIRS SECTION

A.C./4183/L.

17 March 1945. /pa.

SUBJECT : Appointment of Receivers in AMG Territory.

TO : Regional Commissioners, Piemonte, Liguria, Lombardia and Venezia Regions.

1. On reaching Northern Italy situations may be found which necessitate the appointment of Receivers (Commissari) to manage and carry on the business of important industrial concerns. For example, it may be found that :

- a. The managers or owners of the concern are absent so that the concern can no longer be operated with reasonable efficiency ;
- b. The concern has ceased to carry on important work, which it is considered should be continued;
- c. The management of the concern is untrustworthy on political grounds.

These examples are not intended to be exhaustive.

It is pointed out, however, that a Receiver should only be appointed where absolutely necessary and that no appointment should be made where sufficient reliable and efficient personnel of adequate calibre remain and are willing to carry on the operation of the concern.

2. Where it is necessary, however, to appoint a Receiver it is important to ensure uniformity in the method of appointment in order to avoid discrepancies in the tenures and authorities conferred upon different Receivers and to facilitate the subsequent transfer of control either to a Receiver appointed by the Italian Government or to the old or new owners or managers. The attached form of Regional Order appointing a Receiver and no other will therefore be used. The Order is a Regional Order but control and supervision thereunder may be delegated to Provincial Commissioners. In the case of concerns extending over more than one province, it is suggested that control and supervision be vested in the Provincial Commissioner in whose province the head office of the concern is situated.

3. The order is, and is expressed to be, a temporary appointment; the authority of the Receiver thereunder will, at latest, expire on the termination of military government and may expire earlier, either (a) because it has proved possible to restore the concern to its own control under a new or strengthened management, or (b) by the appointment of a Receiver in accordance with Italian Law, this appointment being made by the Italian Government and implemented by AMG. Such appointment may either confirm the person appointed by the original order or may nominate some other person selected by the Italian Government in agreement with this Headquarters and the Regional Commissioner concerned.

4. In order that this Headquarters may maintain the necessary liaison with the Italian Government in the appointment of Receivers, Regional Commissioners will submit monthly on the 1st of each month a list of all concerns to which Receivers

1. On reaching Northern Italy situations may be found which necessitate the appointment of Receivers (Commissari) to manage and carry on the business of important industrial concerns. For example, it may be found that :

- a. The managers or owners of the concern are absent so that the concern can no longer be operated with reasonable efficiency ;
- b. The concern has ceased to carry on important work, which it is considered should be continued;
- c. The management of the concern is untrustworthy on political grounds.

These examples are not intended to be exhaustive.

It is pointed out, however, that a Receiver should only be appointed where absolutely necessary and that no appointment should be made where sufficient reliable and efficient personnel of adequate calibre remain and are willing to carry on the operation of the concern.

2. Where it is necessary, however, to appoint a Receiver it is important to ensure uniformity in the method of appointment in order to avoid discrepancies in the tenures and authorities conferred upon different Receivers and to facilitate the subsequent transfer of control either to a Receiver appointed by the Italian Government or to the old or new owners or managers. The attached form of Regional Order appointing a Receiver and no other will therefore be used. This Order is a Regional Order but control and supervision thereunder may be delegated to Provincial Commissioners. In the case of concerns extending over more than one province, it is suggested that control and supervision be vested in the Provincial Commissioner in whose province the head office of the concern is situated.

3. The order is, and is expressed to be, a temporary appointment; the authority of the Receiver thereunder will, at latest, expire on the termination of military government and may expire earlier, either (a) because it has proved possible to restore the concern to its own control under a new or strengthened management, or (b) by the appointment of a Receiver in accordance with Italian law, this appointment being made by the Italian Government and implemented by AMG. Such appointment may either confirm the person appointed by the original order or may nominate some other person selected by the Italian Government in agreement with this Headquarters and the Regional Commissioner concerned.

4. In order that this Headquarters may maintain the necessary liaison with the Italian Government in the appointment of Receivers, Regional Commissioners will submit monthly on the 1st of each month a list of all concerns to which Receivers have been appointed in their Region, together with the names of the Receivers appointed.

By command of Rear Admiral STONE :

Scale: 4 for Regional Hq and
2 for Provinces.

Piemonte 18
Liguria 12
Lombardia 22
Venetia 34

G. R. UFFOHN, Brig.
VP CA Sec, HQ AC.

REGIONAL ORDER

WHEREAS it is necessary that a Receiver should be appointed for the Province of whose head office is situated at in the Province of

NOW THEREFORE I, Regional Commissioner
..... Region, hereby order as follows :

ARTICLE 1

..... (name of Receiver) is hereby temporarily appointed Receiver of (name of Company) whose head office is situated at in the Province of

ARTICLE 2

The powers of the Receiver shall be as follows :-

- a. The Receiver shall have full power to act for and manage the business and shall have power to exercise all normal administrative functions ;
- b. The acts of the Receiver shall be subject to the supervision of the Provincial Commissioner;
- c. The Receiver shall not, except with the written consent of the Provincial Commissioner on his being satisfied as to the necessity therefor, do any act outside the normal scope of management.
- d. The provisions of Art. 2636 et seq. of the Italian Civil Code shall apply to the Receiver.

ARTICLE 3

The Receiver shall take possession of the assets of the business and an inventory thereof shall be made in the presence of the owner or one of the business or his or their representatives.

If the owner or owners of the business or his or their representatives shall not attend for that purpose, the inventory shall be made by a notary in the presence of two witnesses.

ARTICLE 4

The Receiver shall comply with all written instructions issued to him by or on behalf of the Allied Military Government. His salary shall be fixed by the Allied Military Government.

ARTICLE 5

The Receiver shall remain in office until further AMG order or until another Receiver is lawfully appointed.

Signed all
H. H.
Director
etc.

Witness
Management
Committee

the Province of

ARTICLE 2

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ARTICLE 6

Any person in control or possession of any property of the concern or of any information relating to the affairs thereof shall :

- a. forthwith make written disclosure to the Receiver of such control or possession or of such information and
- b. not part with, destroy, or otherwise deal with the said property or disclose the said information without the prior consent of the Receiver.

ARTICLE 7

Any person who violates any of the provisions of this Order shall, upon conviction by an Allied Military Court, be liable to imprisonment or fine, or both, with or without other lawful punishment, as the Court may determine.

ARTICLE 8

This Order shall be effective on, from and after

(signed)

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